IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5713 OF 2004

Office Notes, Office Memoranda of : coram, appearances, Court's Orders: or directions and Registrar Orders:	Court's or Judge's orders

Ms.Prabhu with Mr.S.C. Prabhu for the Petitioner.

Mr.Nitin Deshpande, A.G.P. for the Respondents.

CORAM : H.L. GOKHALE &
MRS. R.S. DALVI, JJ.

DATE : 7TH JULY 2005

P.C. :

1. Heard Ms.Prabhu for the Petitioner. Mr.Deshpande, A.G.P. appears for the Respondents.

2. Mr.Deshpande has filed an affidavit of one Mr.Karpe, Deputy Chief Executive Officer of Zilla Parishad, Pune. It is stated in this affidavit that as far as the scheduled caste vacancies are concerned, the Petitioner was at Sr.No.4 on the basis of merit. There were only 3 vacancies meant for scheduled castes. Mr.Deshpande submitted that the Petitioner has not

been turned out merely on the ground that she was beyond age on the date on which the appointments were made. The case of the Petitioner is that on the date of calling the names from the Social Service Office, she was within the age limit. Mr.Deshpande states that therefore she has been considered and has been placed on the merit list. However, the posts allotted to scheduled castes were only three and she was the fourth one and therefore she could not be appointed. This decision was on the marks obtained by the candidate.

3. Mr.Deshpande further states that waiting list, which was prepared, could not be continued beyond one year as per the G.R. dated 28th July 1994. That being the position, the Petitioner will have to try once again, but now she is beyond the age limit prescribed. There is nothing further that can be done in the petition. Petition is rejected.

(H.L. GOKHALE, J.)

(MRS. R.S. DALVI, J.)